

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ANTHONY EUGENE MARCHELLO, JR.,

Plaintiff,

JUDGMENT
19-cv-3759 (BMC)

-against-

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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An Order of Honorable Brian M. Cogan, United States District Judge, having been filed on September 27, 2019, reversing the Commissioner's final decision dated August 28, 2018 pursuant to the fourth sentence of 42 U.S.C. § 405(g), which is made applicable to Supplemental Security Income (SSI) claims by 42 U.S.C. § 1383(c)(3); and remanding plaintiff's claims for disability insurance benefits and SSI protectively filed on October 14, 2015 for further administrative proceedings; it is

ORDERED and ADJUDGED that pursuant to the fourth sentence of 42 U.S.C. § 405(g), which is made applicable to Supplemental Security Income (SSI) claims by 42 U.S.C. § 1383(c)(3), the Commissioner's final decision dated August 28, 2018, is reversed; that plaintiff's claims for disability insurance benefits and SSI protectively filed on October 14, 2015 are remanded for further administrative proceedings; and that upon remand, the Administrative Law Judge will: (1) offer the plaintiff the opportunity for a new hearing; (2) take further action to complete the administrative record; and (3) issue a new decision.

Dated: Brooklyn, NY
September 30, 2019

Douglas C. Palmer
Clerk of Court

By: /s/Jalitza Poveda
Deputy Clerk